

# FINAL BILL REPORT

## HB 1433

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### C 393 L 09

Synopsis as Enacted

**Brief Description:** Addressing liability for damages to state property resulting from the illegal operation of a vehicle.

**Sponsors:** Representatives Liias, Sells, Eddy and Clibborn; by request of Department of Transportation.

**House Committee on Transportation**  
**Senate Committee on Transportation**

#### **Background:**

By statute, a person operating a vehicle or moving an object or conveyance on a public highway in an illegal or negligent manner is liable for any damage to a public highway, bridge, or elevated structure that results. When the operator of the vehicle is not the owner of the vehicle, object, or conveyance, the owner and operator are jointly and severally liable for any such damage. The measure of damage determined by the Washington State Department of Transportation (WSDOT) is presumed to be the amount recoverable in any civil action brought under the statute.

#### **Summary:**

All other state property is added to public highways, bridges, and elevated structures in the context of items for which the WSDOT or other state agencies may seek to recover for damages caused by the operation of a vehicle or the movement of an object or conveyance in an illegal or negligent manner on a public highway.

The state is specifically granted the ability to recover for incident response costs, including traffic control, incurred by the WSDOT.

#### **Votes on Final Passage:**

House	97	0	
Senate	48	0	(Senate amended)
House	97	0	(House concurred)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective:** July 26, 2009